

**COUNTY COUNCIL OF FREDERICK COUNTY
MEETING MINUTES
Tuesday, September 29, 2015**

Council Members Bud Otis, President; M.C. Keegan-Ayer, Vice-President; Tony Chmelik, Treasurer; Kirby Delauter, Jerry Donald, Jessica Fitzwater, and Billy Shreve were present for the meeting.

Also present were Ragen Cherney, Council Chief of Staff; Michael Chomel, County Attorney's Office; and Joyce Grossnickle, Office of the County Executive.

Council President Otis called the meeting to order at 4:30 p.m. in the first floor hearing room, Winchester Hall, 12 East Church Street, Frederick, Maryland.

The meeting began with a moment of silence followed by the recitation of the Pledge of Allegiance.

WORKSHOP

2016 Proposed Legislative Issues – Council President Bud Otis

The Council Members reviewed their respective proposed 2016 legislative items which was followed by the Council taking action on each of the items.

Item	Sponsor	Subject	VOTES
1	Delauter	School Construction State Exclusion on Prevailing Wage & Stormwater Requirements	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
2	Delauter	Capital Improvement Program Project Exclusion on Prevailing Wage & Stormwater Requirements	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
3	Delauter	Reduction/Elimination on MDE Fines	6-1 <u>Aye</u> : Otis, Chmelik, Keegan-Ayer, Fitzwater Delauter & Shreve <u>Nay</u> : Donald
4	Delauter	Repeal of Frederick County's Inclusion on Alcohol Training for Establishments	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater

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5	Delauter	Concealed Carry	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
6	Delauter	Maryland as a Right to Work Jurisdiction	4-3 <u>Aye</u> : Otis, Chmelik, Delauter & Shreve) <u>Nay</u> : Donald, Keegan-Ayer & Fitzwater
7	Delauter	Voter Identification Program	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
8	Fitzwater	Task Force to Study Prevailing Wage	2-5 <u>Aye</u> : Keegan-Ayer & Fitzwater <u>Nay</u> : Otis, Donald, Chmelik, Delauter, & Shreve
9	Chmelik	Prevailing Wage - Return to Pre-2004 Requirements	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
10	Shreve	Health Department	3-4 <u>Aye</u> : Chmelik, Delauter & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer & Fitzwater
11	Shreve	Vehicle Emissions Inspection Program Revisions - <i>Legislative request to set the repair threshold to \$1,000.00 to include both parts and labor when a vehicle fails a Vehicle Emissions Inspection (VEIP test).</i>	2-5 <u>Aye</u> : Chmelik & Shreve <u>Nay</u> : Otis, Donald, Keegan-Ayer, Fitzwater & Delauter

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11	Shreve	Vehicle Emissions Inspection Program Revisions - <i>Require used car sales in Maryland to conduct a vehicle emissions test prior to a car being sold or transferred.</i>	6-1 <u>Aye:</u> Chmelik & Shreve Otis, Keegan-Ayer, Fitzwater & Delauter <u>Nay:</u> Donald
12	Shreve	Defund Planned Parenthood in Maryland	3-4 <u>Aye:</u> Chmelik, Delauter & Shreve <u>Nay:</u> Otis, Donald, Keegan-Ayer & Fitzwater
13	Shreve	To Make English as the Official Maryland State Language	3-4 <u>Aye:</u> Chmelik, Delauter & Shreve <u>Nay:</u> Otis, Donald, Keegan-Ayer & Fitzwater
14	Keegan-Ayer	Biological Agency Lab Tracking	5-2 <u>Aye:</u> Otis, Keegan-Ayer Fitzwater, Delauter & Shreve <u>Nay:</u> Donald & Chmelik
15	Keegan-Ayer	Frederick County Small Business Tax Credit	7-0 <u>Aye:</u> Otis, Donald, Chmelik, Keegan-Ayer, Fitzwater, Shreve & Delauter
16	Otis	Fund and enhance OPERATION HIRE Maryland Veterans Program	6-1 <u>Aye:</u> Otis, Chmelik, Keegan-Ayer, Fitzwater Delauter & Shreve <u>Nay:</u> Donald

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County Council Rules/Policies and Procedures – Council President Bud Otis

The Council reviewed the proposed changes to its Rules of Procedure. Council Member Fitzwater addressed the proposed changes she was recommending. Council Member Chmelik indicated that he had proposed changes he would like to share with the Council Members.

The Council took no action on this agenda item.

(The Council took at break at 6:39 p.m. and reconvened at 7:00 p.m.)

PUBLIC HEARING

To Discuss an Amendment to the County Annual Budget and Appropriations Ordinance (Ordinance No. 15-01-001) to Provide \$800,000 in Funds for the Citizens Nursing Home and Montevue Assisted Living Facility Capital Project and to Delete and Transfer the Appropriation for the Funding of the Payments Under the Continued Care Commitment Agreement – Council President Bud Otis (on behalf of the County Executive)

A public hearing was held, as duly advertised, on Capital Budget Amendment No. 001-16.

Mr. John Mathias, County Attorney; Mr. Doug Browning, Chief Administrative Officer; and Ms. Lori Depies, Finance Division Director, presented the background information pertaining to Capital Budget Amendment No. 001-16 which was followed by questions by the Council.

Public comments were received from:

- Cathy Maddox
- Rolan Clark
- Patrick Schempp
- Nancy Hartten
- Dr. Sonja Sperlich
- Dr. Joe Berman
- Cindy Powell
- Sue Ferguson
- Don Linton
- Charles Trunk
- Stanley Snow
- Louse Lynch
- Leslie Powell, Esquire

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- Sandy Sos read a statement provided by Betty Ann Baker
- Melanie Cox, League of Women Voters
- John Daniels
- Tom Gill
- Peter Ciferri
- James French
- Vincent Parmesano
- John Menke
- Kin Hong Ng
- Elizabeth Chung
- Valerie Dale
- Steve Bruns
- Bob Davis
- Mark Long
- Steve McKay
- Perry Hamilton
- Stan Mordensky
- Joe Parsley
- Matt Seubert
- Christian (gentleman's last name not discernible)
- David Gray

Council Member Keegan-Ayer moved to approve the ordinance as presented. Council Member Fitzwater seconded the motion that passed 4-3 with Council Members Chmelik, Delauter, and Shreve opposed.

Council Members	Aye	Nay	Absent/ Abstain/ Present
District 1 - Donald	X		
District 2 - Chmelik		X	
District 3 - Keegan-Ayer	X		
District 4 - Fitzwater	X		
District 5 - Delauter		X	
At-large - Otis	X		
At-large - Shreve		X	

(A copy of the adopted ordinance can be obtained from the county's website <http://www.frederickcountymd.gov/>)

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Adjourn

The meeting adjourned at 10:13 p.m.

Bud Otis, President
County Council